

### REMARKS/ARGUMENTS

The present Amendment is responsive to the non-final Office Action mailed October 20, 2009 in the above-identified application.

Claims 16 and 27 are canceled. Further, new claims 28-31 are added. Therefore, claims 1, 2, 4-15 and 17-31 are the claims currently pending in the present application.

Claims 1, 15 and 17 are amended to clarify features recited thereby. These amendments are fully supported by Applicants' disclosure see with respect to the amendment to claim 1, for example, Figs. 5a and 5b illustrating the feeding of the metal melt into the tundish until the quasi-steady-state casting operation is reached.

#### *Objection to Claim 16 under 37 C.F.R. §1.75(c)*

Claim 16 is objected to under 37 C.F.R. §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 16 is canceled without prejudice or disclaimer and, therefore, the objection is moot.

#### *Rejection of Claims 1, 2 and 4-26 under 35 U.S.C. §103*

Claims 1-2 and 4-26 are rejected under 35 U.S.C. §103(a) as being obvious over Wright, EP0887129 with supporting evidence from Wilson et al., U.S. Patent No. 4,098,321. Reconsideration of this rejection is respectfully requested.

Claim 1 requires a sequence casting process for continuous production of a high-purity cast metal strand from a metal melt, the process comprising during a first period of time starting from a resumption of the feeding of the metal melt into the tundish until a point at which a quasi-steady-state operation bath level in the tundish is reached, feeding of the metal melt into the tundish within the last 5% to 30% of the first period of time at a reduced inflow rate compared with the inflow rate during a preceding time period of the first period of time, such that by an end of the last 5% to 30% of the first period of time and unchanging filling rate of the tundish equal to a rate of the discharging of the metal melt from the tundish is attained.

The Office Action acknowledges (Office Action, page 7) that the cited art does not disclose or suggest such features. Accordingly, even taken together in combination, Wright and Wilson do not disclose or suggest the recitations of claim 1.

Claims 2, 4-15 and 17-26 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons. Claim 16 is canceled without prejudice or disclaimer and therefore the rejection is moot as to this claim.

### ***New Claims***

New claims 28-31 are added so as more fully to claim patentable aspects of Applicant's invention. New claims 28-31 are fully supported by Applicant's disclosure see, for example, with respect to claims 28-31, Specification, page 9, line 35 - page 10, line 23; and with respect to claims 29 and 30, Specification page 6, lines 9-16 and Figs. 5A and 5B.

Claim 28 depends from claim 1 and is therefore patentably distinguishable over the cited art for at least the same reasons.

Claim 29 requires that the reduced inflow rate comprises a first rate having a first quantity/time slope and a second rate comprising a second quantity/time slope, the first slope being different from the second slope. The cited art does not disclose or suggest such features. Claim 30 depends from claim 29 and is therefore patentably distinguishable over the cited art for at least the same reasons.

Claim 31 requires that the inflow rate to the first partial quantity in the tundish is greater than the outflow rate from the second partial quantity of the tundish, and that the inflow rate to the first partial quantity is less than or equal to double the outflow rate from the second partial quantity from the second partial quantity for 70% to 100% of the first period of time.

The Office Action, at page 6 states that Wright discloses the inflow from the ladle is 1.5 times or greater than the outflow from the second partial quantity. However, Wright is silent with respect to such a relationship between inflow rate to the first partial quantity and outflow rate from the second partial quantity for a portion of the first period of time.

As further required by claim 31, the first period of time starts with a resumption of the feeding of the metal melt into the tundish until a point at which quasi-steady-state operation bath level in the tundish is reached. Moreover, since Wright is silent with respect to such a relationship during such a first period of time, Wright clearly does not disclose or suggest that for 70% to 100% of such a first period time such a relationship between the inflow rate to the first partial quantity and the outflow rate from the second partial quantity obtains. Accordingly, the cited art does not disclose or suggest the recitations of claim 31.

In view of the foregoing discussion, withdrawal of the objection and the rejection and allowance of the claims of the present application are respectfully requested.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Robert C. Faber', is written over a horizontal line.

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